

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LA BARBERA and FRANK FINKEL, as
Trustees of the Local 282 International Brotherhood of
Teamsters Welfare, Pension, Annuity, Job Training
and Vacation Sick Leave Trust Funds,

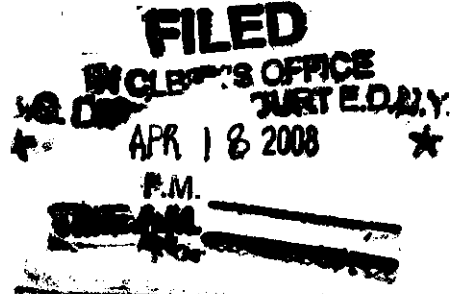
Plaintiffs,

-against-

J & A CONCRETE CORP.,

Defendant.
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JUDGMENT
07-CV- 1731 (DLI)



An Order of Honorable Dora L. Irizarry, United States District Judge, having been filed on March 31, 2008, adopting the Report and Recommendation of Magistrate Judge James Orenstein, dated February 22, 2008, in all respects except to the extent that attorney Avram Schreiber's fee rate is modified to \$275.00 per hour, increasing the total attorney's fees to \$5,029.90; directing the Clerk of Court to enter judgment awarding the plaintiffs judgment in the amount of \$11,927.43, consisting of no award of unpaid contributions; \$421.16 in interest on late-paid contributions; \$6,013.62 in additional damages; and \$462.75 in other litigation costs; directing defendant to provide to plaintiffs forthwith any and all records relating to its contributions to the Funds for May and June 2007; and upon completing their audit, plaintiffs shall submit any request for additional contributions to Magistrate Judge Orenstein for his review and report and recommendation, on or before April 30, 2008 or provide a status report, via ECF as to why such request could not be submitted; and denying and denying plaintiffs' request for permanent injunctive relief; it is

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ORDERED and ADJUDGED that the Report and Recommendation of Magistrate Judge James Orenstein is adopted in all respects except to the extent that attorney Avram Schreiber's fee rate is modified to \$275.00 per hour, increasing the total attorney's fees awarded to \$5,029.90; that judgment is hereby entered in favor of plaintiff, Gary LaBarbera and Frank Finkel, as Trustees of the Local 282 International Brotherhood of Teamsters Welfare, Pension, Annuity, Job Training and Vacation Sick Leave Trust Funds, and against defendant, J & A Concrete Corp., awarding plaintiffs judgment in the amount of \$11,927.43, consisting of no award of unpaid contributions; \$421.16 in interest on late-paid contributions; \$6,013.62 in additional damages; and \$462.75 in other litigation costs; that defendant is directed to provide plaintiffs forthwith any and all records relating to its contributions to the Funds for May and June 2007; and that upon completing their audit, plaintiff shall submit any request for additional contribution to Magistrate Judge Orenstein for his review and report and recommendation, on or before April 30, 2008 or provide a status report, via ECF, as to why such request could not be submitted; and is further,

ORDERED and ADJUDGED that plaintiffs' request for permanent injunctive relief is denied.

Dated: Brooklyn, New York
April 17, 2008

S/RCH

ROBERT C. HEINEMANN
Clerk of Court